

## AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 2, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-26890 - APPLICANT - LAMAR OUTDOOR ADVERTISING  
- OWNER: HERBST DEVELOPMENT, LLC

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### \*\* CONDITIONS \*\*

**STAFF RECOMMENDATION:** APPROVAL, subject to:

#### *Planning and Development*

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Off-Premise Sign use.
2. Conformance to the conditions for Special Use Permit (U-0132-01).
3. This Special Use Permit shall be reviewed in three (3) year(s) at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
6. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0132-01) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
7. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is a request for a required Two-Year Review of an approved Special Use Permit (U013201) which allowed a 40-foot tall, 14-foot X 48-foot OffPremise Advertising Sign (Billboard) at 2395 North Rancho Drive. This is the third Two-Year Review since the initial approval of the Special Use Permit (U-0132-01).

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
2/21/90	The City Council approved a Special Use Permit (U-0189-89) for a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on the subject property, subject to review in five years. The Planning Commission and staff recommended approval.
3/15/95	The City Council approved a Five Year Review [U-0189-89(1)] of the Special Use Permit (U-0189-89) for the Off Premise Advertising (Billboard) Sign on the subject property, subject to review in five years. The Planning Commission and staff recommended approval.  NOTE: This Special Use Permit (U-0189-89) was voided when the billboard was removed prior to the second Five-Year Review.
1/28/97	The Board of Zoning Adjustment approved a Variance (V-0152-96) to allow two freestanding signs on the subject property where one was the maximum allowed and to allow a monument sign with a sign area of 78 square feet where 75 square feet is the maximum sign area allowed. Staff had no objection to the request.
9/02/97	The Board of Zoning Adjustment approved a Site Development Plan Review [V0152-96(1)] to relocate the second freestanding sign on the site. Staff recommended approval.
12/05/01	The City Council approved a Special Use Permit (U-0132-01) for a proposed 14-foot by 48-foot Off Premise Advertising Sign (Billboard) on the subject property, subject to review in two years. The Planning Commission and staff recommended approval.
1/21/04	The City Council approved the first Two-Year Review (RQR-3232) of the Special Use Permit (U-0132-01) for the Off Premise Advertising Sign (Billboard) on the subject property, subject to review in two years. The Planning Commission and staff recommended approval.
4/05/06	The City Council approved the second Two-Year Review (RQR-11192) of the Special Use Permit (U-0132-01) for the Off Premise Advertising Sign (Billboard) on the subject property, subject to review in two years. The Planning Commission and staff recommended approval.

<b>Related Building Permits/Business Licenses</b>	
1/30/02	A building permit (#02-001475) was issued for a 14-foot by 48-foot Off-Premise Advertising (Billboard) sign at 2397 North Rancho Drive, on the subject property. The billboard received final inspection 07/11/02.
<b>Pre-Application Meeting</b>	
A pre-application meeting is not required, nor was one held.	
<b>Neighborhood Meeting</b>	
A neighborhood meeting is not required, nor was one held.	

<b>Field Check</b>	
3/13/08	A field check revealed that the sign was in good condition, with no embellishments, graffiti, bird droppings, or additional signs per face.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	0.72 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Convenience Store	SC (Service Commercial)	C-2 (General Commercial)
North	Auto Repair Garage, Minor	GC (General Commercial)	C-2 (General Commercial)
South	Residence Hotel	M (Medium Density Residential)	C-2 (General Commercial)
East	Hotel and Casino	City of North Las Vegas	C-3 (General Service Commercial North Las Vegas Designation)
West	Residence Hotel	M (Medium Density Residential)	C-2 (General Commercial)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	NA
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District 35 Feet	X		N*
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

\* The 40-foot tall Off-Premise Sign is located in the Airport Overlay District in an area restricting the height of structures to 35 feet. As a condition of approval of Special Use Permit U013201, the applicant filed a Form 7460-1 with the Federal Aviation Administration and obtained a permit from Clark County Department of Aviation prior to construction of the Off-Premise Advertising Sign.

**DEVELOPMENT STANDARDS**

*Per Title 19.14.100, the following sign standards apply:*

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not within Exclusionary Zone, nor Public Right-of-Way.	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Currently the property and surrounding area is zoned C-2 (General Commercial)	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The surface area of the sign is 672 square-feet.	Y
Height	No higher than 40 feet from grade at the point of construction	The sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	No additional screening is necessary.	Y
Off-Premise Advertisement (Billboard)	At least 750 feet to another Off Premise Sign	There is a billboard approximately 320 feet north of this sign, across Smoke Ranch Road.	N

Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Nearest residential is over 660 feet away	N
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The sign is a free standing sign on a commercial property	Y

**ANALYSIS**

This is the third Two-Year Review of the subject Off-Premise Advertising Sign (Billboard) located at 2397 North Rancho Road. The 40-foot tall, 672 square-foot double-faced sign is located near the southeast corner of the subject site. There another sign approximately 320 feet north of the subject sign on a separate lot across Smoke Ranch Road. The final inspection of the building permits for the 40-foot tall, 672 square-foot, double-faced Off-Premise Advertising Sign was completed on 7/11/02.

**FINDINGS**

According to a review of City records, the final sign inspection for the Off-Premise Advertising Sign (Billboard) was completed on 7/11/02. The existing sign will need to provide pigeon abatement measures on the sign to remedy the existing bird nuisance. As the sign has obtained the necessary building permits and a final inspection, staff recommends approval of this request with another review of the use in three years.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      N/A

**ASSEMBLY DISTRICT**                      N/A

**SENATE DISTRICT**                      N/A

**NOTICES MAILED**                      379

**APPROVALS**                      0

**PROTESTS**                      0